

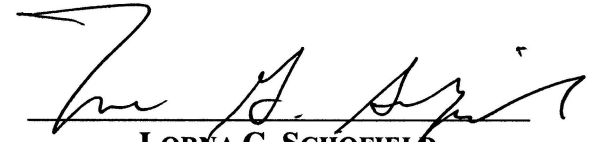
Application **GRANTED**. The initial conference scheduled for October 7, 2021 is **ADJOURNED** to **October 21, 2021 at 10:40 a.m.** The Court will reschedule the conference if a ruling on the motion for preliminary injunction has not yet been made.

Dated: October 1, 2021  
New York, New York

**VIA E-FILE**

September 30, 2021

The Honorable Lorna G. Schofield  
Thurgood Marshall, United States Courthouse  
40 Foley Square  
New York, New York 10007



**LORNA G. SCHOFIELD**  
**UNITED STATES DISTRICT JUDGE**

Re: Case No. 1:21-cv-06324 (LGS), *RiseandShine Corp. ("RBC") v. PepsiCo, Inc.*  
("PepsiCo") (SDNY) – Joint Request for Continuance of Rule 16 Conference

Dear Judge Schofield:

In light of the evidentiary hearing on Plaintiff's motion for preliminary injunction scheduled for Friday, October 8, 2021, the parties jointly respectfully ask the Court to postpone the Rule 16 conference, currently set for October 7, 2021, until after the Court rules on the preliminary injunction motion.

Sincerely,

*/s/ Jason D. Rosenberg*

Jason D. Rosenberg  
Alston & Bird LLP  
Counsel for Plaintiff

*/s/ Timothy S. Durst*

Timothy S. Durst  
O'Melveny & Myers LLP  
Counsel for Defendant